

1 A Because it was a, because it was a weekly meeting
2 that took place every Friday after the taping of the show and
3 it was not a formal meeting, I did not ordinarily mark it on
4 my calendar.

5 Q I'd like to refer you to SH3-35, paragraph 83.

6 A Yes.

7 Q And my question is one of clarification here. You
8 indicate in this paragraph that the September 14 and 15
9 editions of Front Page focused on the shortage in the Red
10 Cross blood supply. Do you see that?

11 JUDGE SIPPEL: The bottom of paragraph 83.

12 WITNESS: Yes, I see it.

13 BY MS. SCHMELTZER:

14 Q If you would look back to paragraph 78, it refers to
15 the September 14 and 15 edition of Front Page as focusing on
16 several of the proposed redistricting plans for Maryland.

17 A Right.

18 Q So can you explain the difference between paragraph
19 78 and paragraph 83?

20 A Sure. We don't do one, one topic on a show.

21 Q Are there various segments on a show?

22 A Yes. Usually, usually we would cover two or three
23 topics in a given program.

24 Q What's the length of each topic?

25 A Well, the program is a half-hour in length. It

1 depends on the topic.

2 Q Are the segments any specific length?

3 MR. ZAUNER: Objection. We've just had it asked and
4 answered and also irrelevancy.

5 JUDGE SIPPEL: Well, sustained on the first point.
6 Your statement in paragraph 83 is -- seemed quite -- you
7 stated with quite a degree of certainty that it was planned
8 prior to September 3. You're just nodding your head yes.

9 WITNESS: Yes.

10 JUDGE SIPPEL: I take it that it's the same with
11 respect to what you said in paragraph 78?

12 WITNESS: Yes. It's the same program and it's done
13 in the same manner.

14 JUDGE SIPPEL: When you contact these people, these
15 notorieties, these people of note, who are going to -- you're
16 asking to come and talk to you, is there anything confirmed in
17 writing eventually on this?

18 WITNESS: No. It's really -- it's done on the
19 telephone. People are booked over the phone with very rare
20 exception. There may in the case of -- occasionally we'll
21 have an opportunity to introduce someone who is of note from
22 out of town and that may require some written correspondence,
23 but as a general rule if they're in town we do a lot of back
24 and forth on the phone.

25 JUDGE SIPPEL: All right. You got another paragraph

1 or point?

2 MS. SCHMELTZER: Yes.

3 BY MS. SCHMELTZER:

4 Q SH3-41, paragraph 101. You state there that the
5 June 15 and 16 edition of Front Page focused on students who
6 are at high risk of dropping out of school.

7 A Yes.

8 Q Was that program planned in May of 1991?

9 A It may have been.

10 Q So the programs that aired during the first three
11 weeks of June may have been planned under Gillette's
12 ownership?

13 A They may have been.

14 JUDGE SIPPEL: You kind of snuck that one in, didn't
15 you, Ms. Schmeltzer? No more Gillettes.

16 BY MS. SCHMELTZER:

17 Q If you would turn to SH3-45, paragraph 111.

18 A Yes.

19 Q This refers to the Children's Miracle Network
20 telethon on June 1.

21 A Yes.

22 Q That was planned under Gillette Broadcasting, wasn't
23 it?

24 MR. HOWARD: Objection, Your Honor.

25 JUDGE SIPPEL: Sustained. I mean, I -- I'm not

1 going to -- I can restate it again. We are dealing with a
2 very compressed period of time here. There's bound to be some
3 -- if would want to call it slippage or some overlap -- but
4 they, they aired the programming and their programming was
5 responsive to the issues of the ascertained and then we --
6 that's the burden that they have to show.

7 BY MS. SCHMELTZER:

8 Q I'd like to turn your attention to SH3-54.

9 A Yes.

10 Q This relates to the Columbia Festival of the Arts.

11 A Yes.

12 Q Is WMAR-TV still a sponsor of this event?

13 MR. HOWARD: Objection, Your Honor. That's
14 irrelevant.

15 JUDGE SIPPEL: Let her finish the question.

16 MR. HOWARD: I'm sorry. I thought she was done.

17 MS. SCHMELTZER: Is WMAR-TV still a sponsor of the
18 Columbia Festival of the Arts?

19 MR. HOWARD: I object, Your Honor. It's irrelevant.

20 JUDGE SIPPEL: That question is outside the time
21 period, the relevant period. Sustained.

22 MS. SCHMELTZER: Turning to SH3-55, the AFRAM Expo
23 Luncheon, was that an annual luncheon that was started under
24 Gillette Broadcasting?

25 MR. HOWARD: Objection, Your Honor.

1 JUDGE SIPPEL: Paragraph 131? Sustained.

2 BY MS. SCHMELTZER:

3 Q I'd like to turn your attention to SH3-57, the Tenth
4 Annual Drama Competition.

5 A Yes.

6 Q Now, this was a play that aired in February 1992?
7 Is that correct?

8 A Yes, it was.

9 Q And am I correct that Black History Month is
10 February?

11 A Yes.

12 Q I'd like to ask you about a couple of the letters
13 from the public that you received, Ms. Barr. This is
14 Attachment R to your exhibit. And first I'd like to turn your
15 attention to SH3-0990.

16 A Yes.

17 Q Now, this is a letter to Norm from a Sonia Strohman.

18 A Yes.

19 Q And it looks like Norm changed her tire on the
20 beltway a few days before August 9th.

21 A That's correct.

22 Q Can you tell me how this is related to the station's
23 programming or reputation?

24 A Sure. Norm Lewis is our meteorologist.

25 Q Well, I realize that, but how does changing a tire

1 on the beltway have anything to do with WMAR-TV?

2 A The image of the television station is largely
3 measured through its personalities and the newscasts and local
4 public affairs programming that it offers. The personalities
5 who deliver those newscasts and those weather and sportscasts
6 are very, very important to the total image of the station.
7 The fact that Norm Lewis chose on his own to stop and help
8 someone change a tire says to me that he was going out of his
9 way to be a friendly, helpful individual and that cannot hurt
10 the reputation of the television station.

11 Q But it's not really related to the television
12 station, is it?

13 MR. ZAUNER: She answered the question, Your Honor.

14 JUDGE SIPPEL: Yeah. Sustained.

15 BY MS. SCHMELTZER:

16 Q I'd like to turn your attention to SH3-1011. This
17 is a letter dated July 19, 1991 to Mr. Kleiner and there
18 appears to be a page attached to it that's related to it, SH3-
19 1012. Is that correct?

20 A Yes.

21 Q Was the 1991 Preakness celebration in May of 1991?

22 A Yes, it was.

23 Q And so is the relationship of this letter to the
24 renewal period simply the fact that Mr. Kleiner received it on
25 July 19th?

1 A Again, it goes to reputation. We had, we had
2 participated in a program that happened to take place in the
3 middle of May of 1991 and the organizers of this particular
4 event chose to acknowledge our involvement and thank us in, in
5 July of 1991.

6 Q So when you say we participated in the event it was
7 Gillette Broadcasting that participated in that event?

8 A I was referring to WMAR-TV, the station.

9 Q But it was under the stewardship of Gillette
10 Broadcasting?

11 A That is correct.

12 MR. HOWARD: Your Honor?

13 JUDGE SIPPEL: Mr. Howard?

14 MR. HOWARD: I'm sorry, Your Honor.

15 JUDGE SIPPEL: There is a distinction.

16 MR. HOWARD: I'll address it on redirect.

17 JUDGE SIPPEL: All right. If there is a distinction
18 between that line of Gillette questioning and what was being
19 done earlier.

20 MR. HOWARD: Yes, Your Honor, stewardship.

21 MS. SCHMELTZER: Between May 30 and September 26,
22 1991, or let's say September 30, 1991, do you recall how many
23 phone calls you may have had with Mr. Shroeder of Scripps
24 Howard?

25 JUDGE SIPPEL: I'm not expecting that we're going to

1 really -- you mean in terms of were they frequent phone calls?

2 MS. SCHMELTZER: Um-hum.

3 BY MS. SCHMELTZER:

4 Q Frequent, infrequent?

5 A I did not speak frequently with Terry Shroeder.

6 Q Know whether you ever had any discussion about
7 community ascertainment with Mr. Shroeder during any phone
8 conversations that you may have had?

9 A I don't recall having those discussions.

10 Q Do you recall any face to face meetings with Mr.
11 Shroeder from May 30 to September 3, 1991?

12 A I recall that at one point early on right around the
13 time of the sale which was May 30th that Dick Janssen and
14 Terry Shroeder and Ken Lowe all came into the station to
15 introduce themselves to the staff and to have some discussions
16 with those of us on the management team with respect to sort
17 of the general operations of the station.

18 Q Is that the only face to face meeting you recall in
19 the summer of 1991?

20 A I -- that I recall. There may have been one other
21 time when he came in. I mean, we were just, we were -- we had
22 just been purchased by a new company so it's possible that he
23 came in another time, but I don't recall when it -- when that
24 was.

25 Q You mentioned earlier that Scripps Howard cut a

1 check to the Baltimore Broadcasting Association which was
2 evidenced when you joined that organization, I take it?

3 A No. I didn't say that. I say WMAR-TV cut a check.
4 We cut a check.

5 Q Do you have a copy of that check?

6 A I don't, I don't have one in my possession right
7 now.

8 Q Is it possible to obtain a copy of that check?

9 A I don't, I don't recall, but I may have looked for
10 that check at request of counsel and I don't know if it --

11 Q Would that check show when the station joined the
12 Baltimore Broadcasters Coalition?

13 A Checks are dated.

14 MR. HOWARD: Objection, Your Honor. This is
15 attempting discovery at the hearing. It's a bit late to be
16 pursuing it.

17 MS. SCHMELTZER: Well, there is a statement made in
18 here, Your Honor, that they joined the Baltimore Broadcasters
19 Coalition during the renewal period. I was not aware that any
20 check had to be cut until the witness mentioned it earlier. I
21 think that check is relevant to determine whether it was
22 within the renewal period because the first meeting of that
23 organization was not held until November 1991.

24 MR. HOWARD: The witness did not testify that a
25 check had to be cut to the Baltimore Broadcasters Coalition

1 before you could join the Baltimore Broadcasters Coalition.
2 That's a mischaracterization of the testimony as I recall it.

3 JUDGE SIPPEL: Well, I don't see any need. I mean,
4 I have no reason to -- I don't think -- everything that is
5 affirmatively testified to doesn't have to be, be proven with
6 convincing -- clear and convincing evidence unless you have
7 some reason to suspect that there's error in that testimony.

8 MS. SCHMELTZER: Well, because yesterday she said we
9 may have joined later in the fall during -- in response to one
10 of my questions which suggested to me that they may have
11 joined after September 3rd.

12 JUDGE SIPPEL: Can you shed anymore light on this?

13 WITNESS: Yes. What I said was we were asked to
14 join the Baltimore Broadcasters Coalition by Dick Janssen. As
15 I recall, it was early on, you know, during the changeover in
16 July -- June or July of 1991. What I said yesterday was that
17 the first meeting of the Baltimore Broadcasters Coalition that
18 took place subsequent to our joining it was not until later on
19 in the fall of 1991. So for practical purposes we did not
20 attend our first meeting until the late fall of 1991.
21 However, we made -- we took steps to join the organization
22 prior to that time. The steps taken were not very
23 complicated. We called them up and said we'd like to be a
24 member and they said, "Great," and they sent us something to
25 say that we could be a member. I mean, there was no

1 application process. This was not a formal process that you
2 had to go through.

3 BY MS. SCHMELTZER:

4 Q Well, what was the reason for which you cut a check?

5 A Well, there is a membership fee to the Coalition
6 that is to help cover some of the costs involved in putting on
7 these ascertainment interviews several times a year.

8 MS. SCHMELTZER: It seems to me that's the best
9 evidence of when they joined since there is some uncertainty
10 there.

11 JUDGE SIPPEL: I'm sure -- I am sure that if you
12 went through both sides of the cases you would find maybe
13 perhaps better evidence on points that are trying to be
14 established, but really all we have to do is just get some
15 substantial evidence on the record that, that is reliable, and
16 have no reason -- there's been nothing shown to question that.
17 If you had somebody that was giving you a tip from inside the
18 organization or you had some kind of a resource that said hey,
19 you know, there's something fishy about that, then I would
20 listen to it, but you're just asking for corroboration of this
21 witness' testimony.

22 MS. SCHMELTZER: Well, because yesterday or this
23 morning was the first time she referred to that check at all.

24 JUDGE SIPPEL: Well, I don't think, again, the fact
25 that she referred to check is controlling on whether or not

1 we're going to go back into discovery. I'm, I'm just -- I'm
2 satisfied that there's no purpose to pursue that line.

3 MS. SCHMELTZER: I have no further questions for Ms.
4 Barr but, let's see, do we have some exhibits that we need to
5 -- or have they all been dealt with? I'm not offering Ms.
6 Velleggia's and Mr. Kleiner's we were not offering at this
7 time.

8 JUDGE SIPPEL: All right. Well, let's go off the
9 record and see where we're at -- where we are.

10 (Off the record.)

11 JUDGE SIPPEL: We're on the record. Mr. Zauner, are
12 you going to --

13 MR. ZAUNER: Thank you, Your Honor.

14 JUDGE SIPPEL: Your cross-examination, please.

15 MR. ZAUNER: Thank you.

16 CROSS-EXAMINATION

17 BY MR. ZAUNER:

18 Q Ms. Barr, at page 4 and 5 of your written testimony
19 you indicated that in comparing the amount of programming
20 WMAR-TV produced with that of other stations in the market you
21 used T.V. Guide. In your experience is T.V. Guide a reliable
22 indication of the programming broadcast on other stations in
23 the market?

24 A It is, it is reliable, yes.

25 Q Based on your experience at WMAR, how frequently are

1 programs listed in T.V. Guide preempted? Is it a common
2 occurrence or --

3 MS. SCHMELTZER: Objection, Your Honor. She -- I
4 don't think she could have any idea how they're -- how often
5 they're preempted at other stations in the market.

6 JUDGE SIPPEL: I don't think that was the question.
7 Go ahead and finish the question.

8 BY MR. ZAUNER:

9 Q I'll repeat the question. Based on your experience
10 at WMAR, do you have an opinion upon how frequently programs
11 listed in T.V. Guide are preempted?

12 A By preempted do you mean that the listing is not
13 --

14 Q Not broadcast.

15 A -- correct, is not -- the listing is incorrect as
16 what it was actually broadcast?

17 Q That would be good, yes.

18 A I would say with T.V. Guide on a very, very small
19 percentage of the time and only with programs that -- where
20 last minute changes were made.

21 Q You were asked some questions concerning -- it was
22 footnote 1 on page SH3-4 of your direct testimony and there
23 were -- as an indication that you included in your news
24 compilation of time news programs including Expose' - Real
25 Life with Jane Pauley, etc. In deciding to include those

1 magazine programs did you make an independent judgment as to
2 whether these shows were, in fact, news?

3 A Yes. I examined the general content of those
4 programs with --

5 Q Did you do that by actually watching a program?

6 A I was, I was familiar with all those programs.

7 Q And that would include Expose' - Real Life with Jane
8 Pauley and specifically -- no, I guess that's it.

9 A Yes.

10 Q Thank you. There was some testimony concerning your
11 ascertainment process at the station and you indicated that
12 management as well as other employees of the station go out
13 and interview leaders in the community. How is the
14 information that they ascertain transmitted to those persons
15 at the station who are in a position to develop responsible --
16 responsive programming?

17 A It's done in a variety of ways. Because there are
18 many different people on the management team and also within
19 the staff who are -- who will go out on a daily basis and talk
20 with people in the community, they come back and we have
21 discussions that are both of a formal and an informal nature.
22 The discussions might take place in the weekly department head
23 meetings. I also held a weekly meeting with the people that I
24 directly supervised. There were six individuals I directly
25 supervised. And those meetings that I held were on Monday

1 mornings. The department head meeting was held on Tuesday
2 mornings. And then in addition to discussing from time to
3 time those issues that might come up at those meetings there
4 were a lot of informal discussions that would take place with
5 respect to the, the News Department. The News Department at
6 that time held a meeting at 11:00 a.m. on Monday mornings. It
7 was known as an operations meetings and the purpose of it was
8 merely to key in other members of the station who were not
9 working in the News Department as to what the News Department
10 was working on and planning for the coming week. It was at
11 that time that -- for -- just to give you an example, the News
12 Director would sit in that meeting and say, you know, we're
13 working on a series on crime, for example, and the other
14 representatives in that meeting -- other representatives being
15 myself and other management personnel and producers, line
16 producers in the News Department -- would sit and discuss
17 sometimes shortly and sometimes at great length some of the
18 issues that would come up, how we were going to treat them and
19 whether or not those issues would be dealt with perhaps best
20 in a news report, in a front page episode in To The Point, in
21 an editorial, and oftentimes there would be a conclusion drawn
22 that might make a good editorial or that might make a good
23 news story, and then from there decisions would be made.

24 Q And this process that you've just discussed took
25 place during the renewal period that was -- that we're talking

1 about here in this proceeding?

2 A It was an ongoing process that took place --

3 Q During the renewal period do you remember having
4 such discussions with Ms. Covington?

5 A Yes.

6 Q Mr. Kleiner?

7 A Yes.

8 Q Mr. -- and I'm not as adventurous as Mrs.
9 Schmeltzer, but it seems like Velleggia?

10 A Ms. Velleggia, yes.

11 Q In addition to yourself having discussions with
12 these individuals, did you overhear them having discussions
13 concerning the information that they had obtained by community
14 contacts with other staff members at the station --

15 A Yes.

16 Q -- during the renewal period?

17 A Because, as I stated before, there would be, there
18 would be informal meetings that would take place and during
19 those meetings there would be discussions among a variety of
20 people and I would -- I might not be involved in the
21 discussion, but I was sitting there while discussions were
22 taking place between, for example, Ms. Covington and Mr.
23 Kleiner.

24 Q Let me call your attention to Tab E, Attachment E,
25 page number SH3-0225.

1 A Yes.

2 JUDGE SIPPEL: Which tab is that?

3 MR. ZAUNER: That's Attachment E, Tab E.

4 BY MR. ZAUNER:

5 Q You testified that in some instances all you had was
6 a calendar notation as written evidence that the contact took
7 place. Now, I can't help but notice that these sheets contain
8 a lot of information beyond just the name of the people who
9 made contact. Could you just tell us what was the basis for
10 the additional information that's contained on these sheets?

11 A Sure. On the sheet that you are pointing to on page
12 0225 this particular contact came from Arnie Kleiner's
13 calendar and his recollections. In this case I knew from his
14 calendar that he'd had a meeting with Norm Taylor. I know
15 Norm Taylor is president of the United Way of Central Maryland
16 so I was able to fill that in and I know the United Way of
17 Central Maryland is a central Maryland agency. The date was
18 on the calendar and the meeting was held, according to Mr.
19 Kleiner, at the station. Mr. Kleiner's recollections were
20 that the discussion between he and Norm Taylor were concerning
21 strategies for reaching the community and some of the
22 financial concerns that United Way was having as to raising
23 enough funds, sufficient funds, to be able to do what they
24 feel they need to do every year. I knew because of my role in
25 overseeing the Public Affairs Department that we had agreed to

1 and subsequently aired public service announcements during the
2 latter part of the summer into the fall for the United Way, so
3 I then made the determination that the responsive programming
4 was public service time aired. And that is how I went about
5 doing each of these pages. I, I sat with the person to make
6 sure that they had their recollections correct and, because of
7 my involvement across a broad spectrum of the station's
8 activities, I understood in some cases that public service
9 time had aired as a result or that programming had aired as a
10 result, and then I would indicate that as such.

11 Q On some of these sheets your name appears as the
12 contact person. For example, if you could please turn to page
13 0258, and that indicates that you and Mr. Kleiner, for
14 example, contacted particular individuals of the Olympic
15 Trials Committee. When you prepared this information, did you
16 also call on your own memory?

17 A Yes, I did.

18 Q And that provided you with some of the information
19 that you were able to fill in --

20 A Yes.

21 Q -- on this sheet?

22 A In this case there were several meetings that Arnie
23 Kleiner had held with Barbara Bazutto about the Olympic trials
24 and the impact that they were going to have on Baltimore in
25 terms of economic development and so forth. He had called me

1 into a meeting subsequent to his having had meetings with her
2 prior and as a result of that I was brought up to speed, if
3 you will, on what the whole relevance to this issue was and
4 then, having remembered that I held this meeting, I was able
5 to then also apply that knowledge back to what was referenced
6 here as page 7, in filling out page 7.

7 Q Would it be correct to say that generally on those
8 issue ascertainment sheets that are here in this exhibit where
9 your name appears that you relied in whole or in part on your
10 memory in preparing the information on the sheets?

11 A That would be fair.

12 MR. ZAUNER: I have no further questions.

13 JUDGE SIPPEL: What is this reference to, "See Page
14 7?"

15 WITNESS: Well, when this document --

16 JUDGE SIPPEL: Where is page 7?

17 WITNESS: It's in this same document. When it was
18 originally prepared these didn't have these SH3 numbers at the
19 bottom, so it would, it would be the seventh page as I recall.

20 JUDGE SIPPEL: Oh, the seventh page in from the
21 front?

22 WITNESS: The seventh page in from the front. I
23 think it was just they were numbered differently.

24 MR. GREENEBAUM: The internal page numbers --

25 JUDGE SIPPEL: Thank you.

1 MR. HOWARD: Your Honor, we'd be happy to supply the
2 correct --

3 JUDGE SIPPEL: That's all right. All right. That's
4 it? Redirect?

5 MR. HOWARD: Redirect, yes, Your Honor. I have some
6 questions for Ms. Barr.

7 REDIRECT EXAMINATION

8 BY MR. HOWARD:

9 Q Ms. Barr, in your direct case testimony there's
10 reference made to 35 percent of the station's programming --
11 programs were composed of news and public affairs. Do music
12 programs fall within that category?

13 A No, they do not.

14 Q And would you turn to page SH3-8 of your, of your
15 testimony, paragraph 19?

16 A Yes.

17 Q Would you read that to yourself?

18 A Okay.

19 Q There was -- you testified yesterday that, that Turn
20 It Up and Lift Every Voice were included in calculating the 35
21 percent of the station's programs that were, that were news
22 and public affairs. Did this refresh your recollection as --
23 on that matter?

24 A Yeah. I did not include -- those two shows were not
25 included in the 35 percent calculation.

1 Q Thank you. Some attention was stated during cross-
2 examination on the program Lift Every Voice. Would you
3 describe that program?

4 A Lift Every Voice was started on WMAR approximately
5 12 years ago. It is a non-denominational or ecumenical gospel
6 music program with some inspirational messages in it and it is
7 produced and hosted by Reverend William Calhoun who is -- was
8 at the time a member of the Interdenominational Ministerial
9 Alliance. He's now the president of it in Baltimore. And
10 it's -- essentially the programs -- music from different
11 choirs and different churches throughout Baltimore, and then
12 there are messages that are ecumenical in nature.

13 Q Does that program -- yes. Is that a paid religious
14 program?

15 A No, it is not.

16 Q Is it -- in fact, is the program sponsored
17 commercially? Is there a commercial sponsorship in the
18 program?

19 A No, there is not.

20 Q Turning to another program. Oh, in cross-
21 examination a program series Postcards from Western Maryland
22 was discussed and questioned. Would you explain how that
23 program -- that series of programs came to be produced?

24 A WMAR-TV employees in Annapolis has an Annapolis
25 Bureau -- had and has an Annapolis Bureau that is manned by a

1 full-time reporter, Lou Davis, and a full-time photographer
2 and during the spring of 1991 Lou had had several
3 conversations over a period of weeks with the Governor and his
4 staff with respect to concerns that the Governor was having
5 about the western part of Maryland feeling -- people in the
6 western part of Maryland feeling that they were -- their
7 interests and concerns were being given short trip by people
8 in the eastern half of the state. This has -- this is not a
9 new issue. It had come up several times because Baltimore and
10 Annapolis as the two major cities of Maryland happen to be
11 physically located in the eastern half of the state of
12 Maryland, and the Governor had indicated to Lou Davis, our
13 reporter, that he was going to make a trip to western Maryland
14 to help tout the economic viability of the western part of the
15 state and its impact on the entire state. And, as such, Lou
16 then called me and also spoke with our News Director and said,
17 "I think this would be an appropriate subject for a long forum
18 special and I could travel with the Governor and offer this
19 programming in response to these issues," and we agreed that
20 it would make for a good program and that's how the program
21 concept came to be.

22 Q And to the extent you think it's necessary, would
23 you explain further how that program came to be included --
24 that program series came to be included on the issues programs
25 list?

1 A The program dealt specifically with the
2 contributions that western Maryland makes to the entire state
3 and the impact that western Maryland has on the entire state
4 in terms of its economic viability, its culture, its -- the
5 tourism impact both -- in both directions, if you will,
6 eastern, eastern Maryland to western Maryland. And since
7 there was a great deal of discussion about -- and had been
8 ongoing discussion with respect to economic impact and the
9 money that flows across the state and so forth, we felt it was
10 appropriate to those issues of metropolitan state concern,
11 economic development, etc.

12 Q Thank you. Four Jacks Exhibit 7 is a sample of
13 WMAR's program logs. If you want to, to look at it, let me
14 know and -- you have a copy of Exhibit 7. Would you look at
15 it? Do you have -- Thursday, June 6, 1991 if yours aren't
16 numbered.

17 A Yeah, I have it.

18 Q Would you state who prepares these logs?

19 A The program logs are put together by a department
20 -- by several people who work in a department in the station
21 known as the Traffic Department.

22 Q Do you see the category -- at the top of the page
23 there's a number of categories, one of which is Type.

24 A Yes.

25 Q Who decides what to put in that category?

1 A Well, the types have been -- there are only so many
2 types of programs that are referenced on a log and to the best
3 of my knowledge program types have been in existence for a
4 very long time. They're not something that change on any kind
5 of frequent basis.

6 Q In your responsibilities at the station how do you
7 use these logs?

8 A I -- when I do consult the logs, which I do on
9 occasion, I tend to look at the logs specifically for
10 promotional announcements, public service announcements and
11 commercial announcements as to where they are located within a
12 given program and whether they're falling in the right -- in
13 the appropriate place.

14 Q Do you use this column category Type in that -- in
15 making that --

16 A With respect to commercials, I know that CA refers
17 to commercial and PR refers to promo and ID refers to a five
18 second commercial and that -- ID and know that PL refers to
19 public service local and PN refers to public service national.

20 Q With respect to long term programming as, as opposed
21 to promotional announcement or commercial announcements, how
22 do you use the category Type?

23 A I don't.

24 Q To your knowledge is that category used by -- in the
25 discussions that you've had on public affairs programs and

1 news programs was there ever -- have you been involved in any
2 discussions where that category Type used in the logs was
3 referenced as a, as a tool?

4 MS. SCHMELTZER: I don't understand the question,
5 Your Honor.

6 MR. HOWARD: Let me try --

7 WITNESS: I didn't either, so --

8 MR. HOWARD: Let me restate it.

9 BY MR. HOWARD:

10 Q Is that -- you just testified that you don't use
11 that, the category Type for long term programming. Do you
12 know who at the station might use that in the course of their
13 practices -- of their professional responsibilities, whether
14 anyone at the station would use that category for long term
15 programming?

16 A No. It -- to the best of my knowledge the category
17 Type as far as long term programming is concerned is used --
18 is not used for any other purpose other than to just give some
19 kind of notation on the log as to whether something is news or
20 otherwise.

21 Q And -- but is that notation then used for any
22 purpose, do you know?

23 A No. It's not used for any other purpose other than
24 it gives some indication on the log. I don't know of any
25 other use for that.